

## Message Text

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PAGE 01 BUENOS 05135 01 OF 02 122149Z

ACTION ORM-02

INFO OCT-01 ARA-10 IO-13 ISO-00 DHA-02 SCA-01 VO-03

PRS-01 PA-01 USIA-06 CIAE-00 INR-07 NSAE-00 AID-05

TRSE-00 L-03 FBIE-00 INSE-00 /055 W

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R 121838Z JUL 77

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 1313

INFO AMEMBASSY BRASILIA

AMEMBASSY BOGOTA

AMEMBASSY CARACAS

AMEMBASSY LIMA

AMEMBASSY MONTEVIDEO

AMEMBASSY RIO DE JANEIRO

AMEMBASSY SAN JOSE

AMEMBASSY SANTIAGO

USMISSION GENEVA

C O N F I D E N T I A L SECTION 1 OF 2 BUENOS AIRES 5135

E.O. 11652: GDS

TAGS: UNHCR, SREF, SHUM, AR

SUBJECT: REFUGEES AND DETAINEES IN ARGENTINA

REF: (A) STATE 151670 (B) BA 4723 (C) BA 1663

SUMMARY: U.S. PAROLE PROGRAM IN ARGENTINA PROJECTS RESOLUTION OF 150 CASES, ALTHOUGH TARGET QUOTA WILL NECESSITATE RE-EVALUATING CASES PRESENTLY CONSIDERED INACTIVE OR REQUESTING ADDITIONAL NEW CASES FROM UNHCR. THE NUMBER OF URGENT RESETTLEMENT CASES HAS BEEN REDUCED SIGNIFICANTLY, AND IT IS UNLIKELY THAT MANY OF THOSE REMAINING WOULD QUALIFY AS ACCEPTABLE CANDIDATES UNDER U.S. PROGRAM. UNHCR IS ENCOURAGING GOA TO REGULARIZE STATUS AND OFFER RESETTLEMENT OPPORTUNITIES FOR REFUGEES HERE. GOA AGAIN CONSIDERING REINSTATEMENT OF RIGHT FOR ARGENTINE STATE OF SIEGE DETAINEES TO OPT TO LEAVE  
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PAGE 02 BUENOS 05135 01 OF 02 122149Z

COUNTRY, BUT POSSIBILITY THAT ARGENTINE GOVERNMENT WOULD COUNTENANCE FOREIGN PAROLE PROGRAMS FOR ARGENTINES DETAINED HERE WHOM IT CONSIDERS "SUBVERSIVE OR ECONOMIC CRIMINALS" REMAINS DIM. WESTERN EMBASSIES CONTINUE TO BELIEVE THAT SPECIAL RESETTLEMENT PROGRAMS FOR ARGENTINE DETAINEES ARE STILL UNFEASIBLE AND INADVISABLE AT PRESENT. WE QUESTION TOO WHETHER AN EXPANDED PAROLE PROGRAM WOULD BE OF VALUE SINCE STRINGENT U.S. RULES FOR

APPLYING PROGRAM PRETTY MUCH LIMIT US TO "SAFE" CASES -- A  
SMALL PERCENTAGE OF PERSONS, THAT IS, WHO IS FACT FIND  
THEMSELVES IN "REFUGEE" CIRCUMSTANCES. END SUMMARY.

1. WILL THE TARGET BE REALIZED? EMBOFFS HANDLING U.S. PAROLE  
PROGRAM IN ARGENTINA PROJECT THAT OF THE 162 PRESENTLY ACTIVE  
CASES (REF B) IN PIPELINE, APPROXIMATELY 120 WILL PROCEED  
THROUGH TO RESETTLEMENT IN U.S. PROGRAM HAS HAD 50 WITHDRAWALS  
TO DATE, LEADING EMBASSY TO RECOMMEND THAT ARGENTINA TARGET BE  
REDUCED TO 150 CASES, WITH THE REMAINING 50 OPENINGS GOING TO  
REFUGEES IN CHILE. IN ORDER TO FULFILL TARGET OF 150 CASES,  
EMBASSY MUST EITHER REACTIVATE SOME OF THE STILL AVAILABLE  
CASES CURRENTLY CONSIDERED INACTIVE OR PUSH OUR REQUESTS TO  
UNHCR TO PROVIDE ADDITIONAL NEW CASES. UNHCR CLAIMS IT HAS  
ALREADY PRESENTED MOST OF THE CASES THAT COULD BE CONSIDERED  
ELIGIBLE FOR U.S. PAROLE PROGRAM UNDER OUR STRINGENT RULES,  
AND HAS, IN FACT, RECOMMENDED ONLY SOME TEN OR SO NEW CASES  
IN PAST FEW MONTHS. IT IS DOUBTFUL HOW MANY NEW "GOOD"  
(ACCEPTABLE UNDER U.S. IMMIGRATION RULES) CASES UNHCR COULD  
PRESENT. IT SHOULD ALSO BE POINTED OUT THAT SINCE PROCESSING  
OF CASES TAKES A MINIMUM OF FIVE MONTHS, NEW CASES, EVEN COULD  
THEY BE FOUND, WOULD REQUIRE FURTHER PROLONGATION OF PROGRAM.  
ALTERNATIVELY, WE CAN AS A MEANS OF ACHIEVING OUR TARGET, PLAN  
ON RE-EVALUATING AND FORWARDING TO WASHINGTON FOR APPROVAL SOME  
OF THE CASES CURRENTLY CONSIDERED INACTIVE BECAUSE OF A  
PRELIMINARY SPLIT DECISION AND DENIAL BY EITHER THE REVIEWING  
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PAGE 03 BUENOS 05135 01 OF 02 122149Z

CONSULAR OR INS OFFICER.

2. AMELIORATION OF THE REFUGEE SITUATION HERE.  
IN GENERAL, THE PRESSURE FOR URGENT RESETTLEMENT OF REFUGEES HAS  
SUBSIDED CONSIDERABLY. LAST YEAR'S 1,000 "MOST URGENT" CASES  
HAVE ALMOST ALL BEEN RESETTLED OUTSIDE ARGENTINA, AND MANY OF  
THOSE REMAINING, AS WE HAVE SEEN IN OUR OWN PROGRAM'S CANDIDATES,  
WOULD NOT BE CONSIDERED AS BEING IN IMMEDIATE DANGER IN  
ARGENTINA. MOST OF THOSE REFUGEES REMAINING, AS EVEN UNHCR REP-  
RESENTATIVE ROBERT MULLER HAS ADMITTED, ARE MAINLY LOOKING FOR  
BETTER AND MORE SECURE ECONOMIC FUTURES. UNHCR IS CURRENTLY  
PUSHING ARGENTINE AUTHORITIES TO REGULARIZETHE STATUS OF AND  
PROVIDE RESETTLEMENT ASSISTANCE TO FOREIGN REFUGEES HERE IN  
ARGENTINA. MULLER TOLD EMBOFF RECENTLY THAT OF THE VOLUNTARY  
REGISTRATION OF SOME 4,000 UNDOCUMENTED REFUGEES LAST YEAR  
DURING A GOVERNMENT REGISTRATION PROGRAM, SECURITY CHECKS ON  
750 PERSONS HAVE BEEN COMPLETED BY ARGENTINE AUTHORITIES AND,  
OF THESE 750, APPROXIMATELY HALF WOULD BE AUTHORIZED OFFICIALLY  
TO SETTLE IN ARGENTINA. THE REST WOULD BE EXPECTED TO RESETTLE  
ELSEWHERE. MULLER SAID INTERIOR MINISTER HARGUINDEGUY SHOWED  
REFUGEE LISTS TO HIM AND VISITING UNHCR OFFICIAL GILBERT YAEGER  
ON JUNE 27, BUT THAT HARGUINDEGUY HAS NOT YET FORMALLY TAKEN

STEPS TO IMPLEMENT THE RESETTLEMENT OF THE "ACCEPTABLE" CASES.  
MULLER WENT ON TO COMMENT, HOWEVER, THAT DESPITE THE ARGENTINE  
OFFER, HE BELIEVED THE ENTIRE REFUGEE GROUP WOULD NOT CONTINUE TO  
SEEK UNHCR ASSISTANCE AND RESETTLEMENT ABROAD BECAUSE OF GLOWING  
REPORTS REFUGEES HEAR FROM COMPATRIOTS ALREADY SETTLED OUTSIDE  
ARGENTINA. DURING OUR LAST TALK WITH MULLER HE DID NOT  
DEMONSTRATE HIS USUAL ATTITUDE THAT ARGENTINA PROVIDED NO REAL  
SECURITY FOR REFUGEES; HE ADMITTED THAT THE MOTIVE OF MANY OF  
THE REFUGEES NOW WAS TO GET THE BEST POSSIBLE "DEAL" THEY COULD.

3. QUALITY OF REFUGEE CARE AND ASSISTANCE PROGRAM.  
ONGOING CARE AND MAINTENANCE OF REFUGEES PROVIDED BY UNHCR IS  
ADEQUATE. UNHCR 1977 BUDGET FOR CARE, MAINTENANCE AND LEGAL  
SERVICES FOR REFUGEES IS \$2,560,000, ABOUT THE SAME AS FOR 1976.  
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PAGE 04 BUENOS 05135 01 OF 02 122149Z

REFUGEE QUARTERS ARE SHABBY, BUT ACCEPTABLE, AND CHURCH GROUPS  
AND OTHER VOLUNTARY AGENCIES FOR DISPENSE REFUGEE SERVICES ARE  
CONSIDERED TO BE VERY COMPETENT AND DEDICATED. UNHCR HAS NOT  
INDICATED IT HAS PROBLEMS WITH MONEY OR NEEDS HELP IN PROVIDING  
REFUGEE SERVICES IN ARGENTINA.

4. PROSPECTS FOR AN ARGENTINE PAROLE PROGRAM.

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PAGE 01 BUENOS 05135 02 OF 02 122201Z  
ACTION ORM-02

INFO OCT-01 ARA-10 IO-13 ISO-00 DHA-02 SCA-01 VO-03  
PRS-01 PA-01 USIA-06 CIAE-00 INR-07 NSAE-00 AID-05  
TRSE-00 L-03 FBIE-00 INSE-00 /055 W  
-----026780 122230Z /72

R 121838Z JUL 77  
FM AMEMBASSY BUENOS AIRES  
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C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 5135

THE POSSIBILITY THAT ARGENTINA WOULD ACCEPT FOREIGN PAROLE PROGRAMS FOR ARGENTINE NATIONAL STATE OF SIEGE DETAINEES CONTINUES TO APPEAR VERY UNLIKELY. (REF. C) A CHECK WITH OTHER EMBASSIES SHOWS THAT NONE BELIEVES ARGENTINA WOULD PERMIT SUCH PROGRAMS. WITHOUT OFFICIAL GOA COOPERATION IT WOULD BE IMPOSSIBLE TO CONDUCT NECESSARY INTERVIEWS IN JAILS OR SECURE NECESSARY CLEARANCES AND DOCUMENTATION. SOME COUNTRIES HAVE PROVIDED VISAS FOR ARGENTINE DETAINEES ON HUMANITARIAN GROUNDS, BUT THESE HAVE NOT FACILITATED THE RELEASE OR AUTHORIZATION OF SUCH PERSONS TO LEAVE THE COUNTRY. SUSPENSION OF THE RIGHT FOR ARGENTINE STATE OF SIEGE PRISONERS TO LEAVE THE COUNTRY WAS EXTENDED FOR AN ADDITIONAL 150 DAYS ON MAY 1, 1977. HOWEVER THE SUSPENSION IS APPARENTLY AGAIN BEING REVIEWED BY THE EXECUTIVE BRANCH ON THE ORDERS OF PRESIDENT VIDELA. ALTHOUGH NO DECISION HAS YET BEEN MADE PUBLIC, PRESS REPORTS SUGGEST THE RIGHT MAY BE REINSTATED, BUT WITH RESTRICTIVE REGULATIONS BY THE INTERIOR MINISTRY.  
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PAGE 02 BUENOS 05135 02 OF 02 122201Z

SHOULD ARGENTINE DETAINEES BE ALLOWED TO EXERCISE THEIR OPTION TO LEAVE AND CHOOSE THE U.S., IT WOULD BE HELPFUL TO BE READY TO MAKE A QUICK DECISION CONCERNING THEIR POSSIBLE ENTRY INTO THE U.S. HOWEVER, IT SHOULD BE RECOGNIZED THAT UNLESS SOME SPECIAL CONSIDERATION IS GRANTED THESE PERSONS BY THE ATTORNEY GENERAL, A PAROLE PROGRAM FOR THEM WOULD LIKELY INVOLVE THE SAME FOUR MONTHS- PLUS DELAY IN PROCESSING TIME INCURRED FOR THE CHILEAN PAROLE PROGRAM. (THE LONG DELAY IN GETTING CHILEAN CLEARANCES AND CHILEAN DOCUMENTS WOULD NOT APPLY IN THE CASE OF ARGENTINE CITIZENS, BUT THE CURRENT TWO TO THREE MONTH LAG IN GETTING WASHINGTON APPROVAL FOR PAROLE CASES PROBABLY WOULD UNCONSCIONABLY DELAY AN ARGENTINE DETAINEE'S DEPARTURE.)

5. OTHER POSSIBLE MEASURES FOR ARGENTINE DETAINEES.  
AS STATED, OTHER FOREIGN EMBASSIES BELIEVE THEY CANNOT ASSIST ARGENTINE DETAINEES WITHOUT FULL GOA APPROVAL AND COOPERATION, ALTHOUGH SEVERAL HAVE MECHANISMS TO RESPOND QUICKLY SHOULD GOA APPROACH THEM TO TAKE "UNDESIRABLE" NATIONALS OR PERSONS WHO OPT TO LEAVE THE COUNTRY. CANADA, FOR DAMPLE, HAS ACCEPTED 20 CASES OF ARGENTINE NATIONALS UNDER ITS "OPPRESSED MINORITY" RESETTLEMENT PROGRAM IN THE LAST TWO YEARS. (TEN ARE ALREADY IN CANADA; THE REMAINDER ARE STILL AWAITING APPROVAL.) UNDER THIS PROGRAM, CANADA CAN ADMIT ARGENTINES WHO HAVE SUFFERED DETENTION, MISTREATMENT AND HARASSMENT BY THEIR OWN OFFICIALS. HOWEVER, CANDIDATES MUST FULFILL PERSONAL INTERVIEW AND CLEARANCE REQUIREMENTS AND AWAIT NECESSARY APPROVALS. THIS

OFFERS LITTLE HELP TO ARGENTINES STILL IN DETENTION. IF PERMITTED TO INTERVIEW DETAINEE CANDIDATES IN JAIL, CANADIAN OFFICIALS SAY THEY COULD MAKE DECISION ON CASE IMMEDIATELY AND APPROVED CANDIDATES COULD PROCEED TO CANADA AS SOON AS GOA PERMITS. (CANADIAN OFFICIALS DO NOT ADVERTISE NOR ENCOURAGE APPLICANTS TO THIS PROGRAM, BUT USE IT IN CASES OF SPECIAL HUMANITARIAN NEED.) GERMAN STATES CAN OFFER RESIDENCE AND WORK  
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PAGE 03 BUENOS 05135 02 OF 02 122201Z

PERMITS FOR FOREIGN CITIZENS ON HUMANITARIAN OR POLITICAL GROUNDS, WHICH PERMITS ALMOST AUTOMATIC ENTRY INTO THE FEDERAL REPUBLIC. SEE REF. C FOR OTHER EXAMPLES. (FYI: CANADA FULFILLED ITS LATIN AMERICAN PAROLE PROGRAM QUOTA OF 6,000 CASES FROM ALL OF LATIN AMERICA IN JUNE OF THIS YEAR, BUT HAS DECIDED TO EXPAND ITS PROGRAM TO INCLUDE ANOTHER 1,000 CASES. CANADA ANTICIPATES THAT MANY OF THE NEW CASES WILL INVOLVE ARGENTINE REFUGEES IN BRAZIL, OR VERY RECENT REFUGEE ARRIVALS IN ARGENTINA, PERU, ETC., CURRENT U.S. PAROLE PROGRAM APPLIES ONLY TO CHILEAN, BOLIVIAN AND URUGUAYAN REFUGEES ARRIVED IN ARGENTINA BEFORE OCTOBER, 1976.)

#### 6. CONCLUSIONS.

WITHOUT FIRM ARGENTINE COMMITMENT TO RELEASE ARGENTINE DETAINEES FOR RESETTLEMENT ABROAD AS WAS DONE IN CHILE, OR SPECIAL USG MECHANISM TO PERMIT RAPID ENTRY OF DETAINEES WHO ARE AUTHORIZED TO OPT TO LEAVE THE COUNTRY, THERE IS LITTLE WE CAN DO ON BEHALF OF STATE OF SIEGE DETAINEES AT PRESENT. THE NUMBER OF DETAINEES BEING FORMALLY CHARGED, TRIED AND EITHER SENTENCED OR ACQUITTED APPEARS TO BE INCREASING, WHICH COULD REFLECT SOME U.S. SUCCESS IN ENCOURAGING A RETURN TO RULE OF LAW. SEVERAL OF OUR SPECIAL U.S. INTEREST CASES HAVE BEEN AUTHORIZED TO LEAVE THE COUNTRY--NONE WENT TO THE U.S. AND ONLY ONE, HIPOLITO SOLARI YRIGOYEN, GOT A U.S. TOURIST VISA. THE VAST MAJORITY REMAIN DETAINED OR DISAPPEARED.

#### 7. COMMENT.

THE CONTINUING PROBLEM WITH OUR REFUGEE PAROLE PROGRAM IS THAT OUR IMMIGRATION RULES ARE SO STRINGENT THAT VIRTUALLY ALL GENUINE POLITICAL REFUGEES--ALMOST BY DEFINITION PEOPLE IN DIRE CIRCUMSTANCES AND WITH DUBIOUS PASTS--ARE EITHER INADMISSIBLE TO THE UNITED STATES OR DEMONSTRATE THEIR ADMISSIBILITY AFTER CONSIDERABLE DELAY. THE "CLEAN" CHILEAN CASES WE FIND IT POSSIBLE TO PROCESS EASILY ARE THOSE OF PEOPLE WHO, ALTHOUGH THEY HAVE INDEED ENDURED HARASSMENT--OFTEN DERIVING FROM POLITICAL  
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PAGE 04 BUENOS 05135 02 OF 02 122201Z

CONCERNS--COULD, REPEAT COULD FOR THE MOST PART IN FACT RETURN TO CHILE. URUGUAYAN POLITICAL REFUGEES IN ARGENTINA ARE ANOTHER STORY. THESE MORE "GENUINE" POLITICAL REFUGEES, WHO FACE SEVERE DANGER IN CONTINUING TO RESIDE IN ARGENTINA, ARE SIMPLY "TOO HOT TO HANDLE." THE UNHCR SIMPLY WILL NOT "GIVE" THESE CASES FOR CONSIDERATION BY U.S. AUTHORITIES, KNOWING THE SCANT POSSIBILITY OF THEIR EVER BEING ADMITTED INTO OUR COUNTRY.

8. AS FOR OPENING A PAROLE PROGRAM FOR ARGENTINE NATIONALS IN ARGENTINA, WE CANNOT FORESEE A SITUATION HERE WHICH WOULD ENABLE A CITIZEN DETAINED IN ARGENTINA TO WAIT INDEFINITELY IN SOME KIND OF "STAGING AREA" WHILE THE STRINGENT REQUIREMENTS FOR IMMIGRATION TO THE U.S. GRIND ON. IF WE ARE NOT PREPARED ALMOST INSTANTLY TO ACCEPT PEOPLE RUNNING FOR THEIR LIVES THEN IT IS A CRUEL JOKE TO OPEN A PROGRAM ARGENTINES MIGHT MISTAKE AS A "REFUGEE PROGRAM." AS FOR ARGENTINE REFUGEES WHO HAVE MADE IT ABROAD, SUCH AS THOSE IN BRAZIL, WE AGREE, MX HOWEVER, THAT SOME QUIETLY ADMINISTERED PAROLE PROCEDURE WOULD MAKE FOR A SOMEWHAT MORE ORDERLY AND HUMANE SYSTEM FOR PROCESSING FEARFUL AND DISPLACED REGISTERED REFUGEES WHO CANNOT RETURN TO THEIR COUNTRIES FOR TRANSGRESSIONS, POLITICAL OR OTHER, WHICH FALL JUST SHORT OF ALSO MAKING THEM INELIGIBLE TO ENTER THE U.S. AS IMMIGRANTS.  
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## Message Attributes

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